

MINUTES OF SEA CLIFF VILLAGE BOARD
Monday, August 13, 2012

The meeting of the Incorporated Village of Sea Cliff was held on Monday, August 13, 2012 at 8:00 p.m. at Village Hall, to discuss various Village matters.

Present: Bruce Kennedy, Mayor
 Peter Hayes, Village Trustee
 Carol Vogt, Village Trustee
 Marianne Lennon, Village Clerk
 Brian Stolar, Village Attorney

Absent: Thomas Murphy, Village Trustee
 Thomas Powell, Village Trustee

Steven Heimer led the Assembly in the Pledge of Allegiance.

Public Hearing on Bill No. Bill No. 4A, Year 2012: A local law amending Chapter 64 of the Village Code of the Village of Sea Cliff to prohibit the construction of fences within two feet of a driveway in the Village of Sea Cliff.

The hearing was opened for public comment.

- Will existing fences be grandfathered
- Consider height of hedges and shrubs as well as fences
- Was law amended because of a homeowners application before the Planning Board

On a motion by the Mayor Kennedy, seconded by Trustee Hayes and unanimously approved by those present, the Public Hearing was closed.

Public Hearing on Bill No. 5, Year 2012. A local law amending Chapter 138 of the Village Code of the Village of Sea Cliff to amend definitions to clarify floor area calculations and the height/setback ratio plane.

The hearing was opened for public comment:

- Is new law more or less restrictive for homeowners
- Reason behind change

On a motion by the Mayor Kennedy, seconded by Trustee Hayes and unanimously approved by those present, the Public Hearing was closed.

Public Hearing on Bill No. 6, Year 2012: A local law amending Chapter 121 of the Village Code of the Village of Sea Cliff to amend definitions to clarify trees subject to the provisions of Chapter 121.

The hearing was opened for public comment:

- Resident requested clarification and reason for change

On a motion by Trustee Hayes, seconded by Trustee Vogt and unanimously approved by those present, the Public Hearing was closed.

MAYORS REPORT

Swear in new member to the Sea Cliff Fire Department - Steven Heimer Enterprise Hose Company.

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved by those present, the Board approved Abstract No. 2311 in the amount of \$ 69,823.26.

Mayor Kennedy offered the following resolution for adoption:

RESOLUTION NO. 53, YEAR 2012

WHEREAS, the Board of Trustees is considering the adoption of Bill No. 6, Year 2012:

A local law amending Chapter 121 of the Village Code of the Village of Sea Cliff to amend definitions to clarify trees subject to the provisions of Chapter 121.

NOW, THEREFORE, BE IT RESOLVED, that the following Local Law, introduced as Bill No. 6, Year 2012, be adopted as follows:

TEXT OF BILL **Incorporated Village of Sea Cliff** **Local Law No. 4, Year 2012**

A local law amending Chapter 121 of the Village Code of the Village of Sea Cliff to amend definitions to clarify trees subject to the provisions of Chapter 121.

Section 1. Section 121-201 of Chapter 121 of the Village Code of the Village of Sea Cliff, entitled “Definitions”, is amended as follows:

a. The term “TREE” is hereby amended to read:

“Any wooden plant having at least one well-defined trunk with a caliper of at least eight inches at the trunk height.”

Section 2. This local law shall take effect in accordance with Section 27 of the Municipal Home Rule Law.

BE IT FURTHER RESOLVED, that the Village Clerk be and she hereby is authorized and directed to file four (4) certified copies (including the original or first copy) of the foregoing Local Law containing the text thereof with the Secretary of State of the State of New York; one (1) certified copy in the Office of the Clerk of the Village of Sea Cliff, in a separate file appropriately indexed by said Village Clerk, in accordance with Section 27 of the Municipal Home Rule Law; and to publish a Notice of Adoption of said Local Law in the Gold Coast

Gazette, the official newspaper of the Village of Sea Cliff, and to post said Notice of Adoption as required by law.

Mayor Kennedy moved the adoption of the foregoing resolution and seconded by Trustee Hayes. All present voted in favor of the motion and the resolution was duly adopted.

Police Report for the month of June 2012:

9 auto accidents, 12 aided cases, 1 burglary of a residence, no burglaries of a business, no robberies, no auto larceny, 1 larceny other than auto and 2 criminal mischief

Our local resident, Jim Foote, also known as Teddy Roosevelt, was awarded with the 2012 “Top Advocates for Historic Preservation & Education Award” by the Oyster Bay Historical Society last month.

Peter Speranza 5K Race will take place on Saturday, Sept 1st at the Methodist Church at Carpenter and Downing Ave.

GVA Antiques Fair will be held on Saturday, Sept. 8th at 9 am at the St. Boniface Field.

SC Arts Council will hold an event at the Beach on Sunday, Sept 2nd at 6pm. There will be crafts and artwork from local artist for sale. Music by Tidal Grove.

A New York State Supreme Court Justice has determined that the Section 48-7 of the Village Code is not constitutional.

Trustee Vogt

The Friends of Sea Cliff Beach will hold their annual Sea Cliff Kayak Race and Family Fun Day on Sat., Sept. 2 from 12 - 5 to continue its fund raising for beach improvements. There will be old fashioned activities for kids, including a greased watermelon relay race in the water.

Fire Department calls for the month of July: 26 ambulance call and 13 calls for fire.

Trustee Hayes

There will be no garbage pickup on Monday, Labor Day, Sept 3rd. Monday's pickup will be moved to Tuesday, and Tuesday's pickup will be moved to Wednesday. There will be no recycling pickup that week.

Department of Public Works – John Mirando

During the month of July 2012, the Department of Public Works disposed of the following MSW:

- 258.57 tons of MSW
- 20.82 tons of Commingled Cans & Glass
- 23.34 tons of Newspaper & Cardboard
- 44.59 tons of C& D

- 2.85 tons of metal
- 45 yards of yard waste

For the month of July 14.6 % of the waste stream was recycled. This is up over 1% as compared to the previous month.

Public Comment

- Can recycling center be opened for an additional day
- Do we sell our scrap metal, paper and cardboard
- What will Village do in response to Courts decision that code provision is unconstitutional
- What authority does the Tree Committee have to save a tree
- Was wall repair in the budget
- Did the Village hire a consultant for Building Department

Meeting adjourned at 9:15pm.

Marianne Lennon
Village Clerk